

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALLA BUTLER, IAN HANNAH, AND EDITH ZAGROD,

Plaintiffs,

-v-

THE ALL AMERICAN BAR ON FIRST AVENUE INC.,  
58 E. 34TH ST. WINGS LODGE INC., ROBERT J.  
GEROLA, JR., ROBERT O'ROURKE, CLAUDINE M.  
O'ROURKE, and LOUISE DEMARCO,

Defendants.

CIVIL ACTION NO.: 21 Civ. 164 (SLC)

**ORDER TO SUBMIT SETTLEMENT  
MATERIALS**

**SARAH L. CAVE**, United States Magistrate Judge.

On June 2, 2022, the parties consented to the jurisdiction of a United States Magistrate Judge for all purposes. (ECF No. 90). On June 10, 2022, the parties advised the Court that they have agreed to a settlement.

This case contains one or more claims arising under the Fair Labor Standards Act. In light of the requirements of Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the parties must file a joint Letter-Motion that addresses whether the settlement is fair and reasonable.

The parties must file their Letter-Motion by **June 17, 2022**, and should address the claims and defenses, the Defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of the Plaintiffs' case and the Defendants' defenses, any other factors that justify the discrepancy between the potential value of Plaintiffs' claims and the settlement amount, the litigation and negotiation process, as well as any other issues that

might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint Letter-Motion should also explain the attorney fee arrangement, attach a copy of any retainer agreement, and provide information as to actual attorneys' fees expended (including billing records and costs documentation). Finally, a copy of the settlement agreement itself must accompany the joint Letter-Motion.

Dated: New York, New York  
June 13, 2022

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge